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BY ECF

Honorable P. Kevin Castel
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, N.Y. 10013

Conference Adjourned April 27, 2022

From:

To:

SO ORDERED:

P. KEVIN CASTEL, U.S.D.J.

Date:

Re: Tyshawn Mitchell v. The City of New York, et. al.,
21-CV-7278 (PKC)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendant City of New York (hereinafter "Defendant") in the above-referenced matter.¹ I write jointly with Plaintiff's counsel to request an adjournment of the initial pretrial conference from April 29, 2022 to a date after June 19, 2022. This is the parties' first joint request for an adjournment of the initial conference and second overall request to adjourn the initial conference.

By way of background, since the initiation of this case, Plaintiff's counsel noted some difficulties in obtaining authorizations for the release of records required of a Plan case. See Civil Docket Entry, at Dkt. 11. As such, Plaintiff – with Defendant's consent – requested an adjournment of the initial pretrial conference scheduled for February 28, 2022. *Id.* On March 30, 2022, Plaintiff provided this Office with signed releases. However, upon review, an important omission rendered the releases incapable of being processed by record-keeping entities. After being notified of this deficiency, Plaintiff promptly provided this Office with updated releases on April 19, 2022. My Office is currently processing those releases to obtain the requisite documents.

¹ This matter is assigned to Assistant Corporation Counsel Luc C. Pierre-Louis who is currently awaiting admission to the New York Bar and is handling this case under my supervision. Mr. Pierre-Louis can be reached at 212-356-2663 or lupierre@law.nyc.gov.

However, my Office has yet to receive any records given the recency of our request and as such, Defendant has no knowledge of the relevant facts of this case at this time, other than the fact that Plaintiff set forth allegations in his Complaint. Accordingly, because no records have been received, barring Defendant from assessing a version of events and possible defenses, the parties respectfully submit that an initial conference would not be a fruitful use of the Courts time and resources. Thus, the parties jointly request that the initial conference currently scheduled for April 29, 2022 be adjourned to a date after June 19, 2022, as that is the date Defendant's answer is due pursuant to the deadlines outlined in the Plan.

The parties thank the Court for its consideration.

Respectfully submitted,

Richard Bahrenburg /s/

Richard Bahrenburg
Senior Counsel
Special Federal Litigation Division

Cc: All Counsel via ECF.